



2626
PATENT
ATTORNEY DOCKET NO.: 046601-5019

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shin KONDO *et al.*

Application No.: 09/377,908

Filed: August 20, 1999

For: IMAGE READING DEVICE AND
METHOD OF THE SAME

Confirmation No.: 8480

Group Art Unit: 2626

Examiner: Scott A. Rogers

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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FEB 26 2004

Technology Center 2600

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Response to Restriction Requirement and Amendment responding to the Office Action dated January 15, 2004.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$110.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	21	0	x \$18 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	5	minus	7	0	x \$84 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$ -0-
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ -0-

6. Fee Payment


- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$_____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: February 20, 2004

By: _____


David B. Hardy
Reg. No. 47,362

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RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

In response to the Restriction Requirement set forth in the Office Action mailed January 15, 2004, the period for response to which extends through March 17, 2004, by a Petition for Extension of Time and fee filed concurrently herewith, Applicants elect the invention defined by the Examiner as Group I (Claims 1-12 and 16-21).

In addition, Applicants respectfully submit that claim 15, as amended herein, should be examined with the claims of elected Group I based on the following amendments and remarks.

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